

### REMARKS

Applicants appreciate the Examiner's thorough examination of the present application as evidenced by the Office Action of March 16, 2005 (hereinafter "Office Action"). In response, Applicants respectfully submit that the cited reference does not disclose or suggest, at least, a knowledge base and the use thereof that includes information generated from one or more conversations. Accordingly, Applicants submit that all pending claims are in condition for allowance. Favorable reconsideration of all pending claims is respectfully requested for at least the reasons discussed hereafter.

#### **Claims 1, 17, 23, 39, 45, and 61 are Patentable**

Independent Claims 1, 17, 23, 39, 45, and 61 stand rejected under 35 U.S.C. §102(e) as being anticipated by U. S. Patent Application Publication 2001/0049688 to Fratkina et al. (hereinafter "Fratkina"). (Office Action, pages 2, and 12). Independent Claim 1 is directed to a method of responding to a customer communication that recites, in part:

...  
generating a response to the utterance received from the customer at the agent based on a knowledge base that comprises information extracted from at least one exemplary conversation, wherein the at least one exemplary conversation comprises an exchange of utterances; and  
... (emphasis added).

Independent Claim 17 is directed to a method of training an agent to respond to a customer communication that recites:

compiling at least one exemplary conversation, wherein the at least one exemplary conversation comprises an exchange of utterances;  
annotating the compiled at least one conversation to categorize information contained therein;  
processing the annotated at least one conversation using a machine learning engine to populate a knowledge base. (Emphasis added).

Independent Claims 23, 39, 45, and 61 include similar recitations. Thus, according to the independent claims, a knowledge base includes information generated from one or more conversations.

In sharp contrast, Fratkina describes a system that attempts to model interaction between a computer and machine in the way that people interact with one another. (Fratkina, paragraph 13). In this regard, Fratkina describes the computer system prompting the user with questions to obtain more information with respect to a particular problem/question. (Fratkina, paragraphs 13, 384, and 385). Applicants further acknowledge that Fratkina describes the use of a knowledge map 234 (*see*, Fratkina FIG. 3). Applicants note, however, that Fratkina appears to contain no teaching or suggestion that the knowledge map 234 be populated with information generated from one or more conversations. Fratkina explains that the knowledge map 234 is populated by people called "dialog designers" using "user profile information and documents, and the dialog control information that is loaded into memory 202 of server 24." (Fratkina, paragraph 181). No mention is made of populating the knowledge map 234 with information generated from one or more exemplary conversations.

Thus, Applicants respectfully submit that Fratkina does not disclose or suggest, at least, the recitations of independent Claims 1, 17, 23, 39, 45, and 61 directed to a knowledge base that includes information generated from one or more conversations and the use thereof.

For at least the foregoing reasons, Applicants respectfully submit that independent Claims 1, 17, 23, 39, 45, and 61 are patentable over Fratkina and that dependent Claims 2 - 16, 18 - 22, 24 - 38, 40 - 44, 46 - 60, and 62 - 66 are patentable at least by virtue of their depending from an allowable claim.

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### CONCLUSION

In light of the above amendments and remarks, Applicants respectfully submit that the above-entitled application is now in condition for allowance. Favorable reconsideration of this application, as amended, is respectfully requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (919) 854-1400.

Respectfully submitted,



D. Scott Moore

Registration No. 42,011

**USPTO Customer No. 20792**  
Myers Bigel Sibley & Sajovec  
Post Office Box 37428  
Raleigh, North Carolina 27627  
Telephone: 919/854-1400  
Facsimile: 919/854-1401

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 16, 2005.

  
Traci A. Brown